

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:)	
)	
ISG Indiana Harbor, Inc.)	FINDING OF VIOLATION
East Chicago, Indiana)	
)	EPA-5-03-IN-12
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	

FINDING OF VIOLATION

The United States Environmental Protection Agency finds that ISG Indiana Harbor, Inc. (ISG) is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, ISG is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants at 40 C.F.R. Part 63, Subpart CCC as follows:

Regulatory Authority

1. The NESHAP for Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants at 40 C.F.R. Part 63, Subpart CCC, states at 40 C.F.R. § 63.1155(a)(1) that the provisions for this subpart apply to all new and existing steel pickling facilities that pickle carbon steel using hydrochloric acid (HCl) solution that contains 6 percent or more by weight HCl and is at a temperature of 100 degrees Fahrenheit or higher and that are major sources for hazardous air pollutants (HAP).
2. 40 C.F.R. § 63.2 defines a major source as any stationary source that emits or has the potential to emit considering controls 10 tons per year or more of any HAP or 25 tons per year or more of any combination of HAP.
3. Pursuant to Section 112(b) of the Clean Air Act, 42 U.S.C. 7412, hydrochloric acid is listed as a HAP.
4. The NESHAP, at 40 C.F.R. § 63.1157(a)(1), prohibits the owner and operator of an existing affected continuous or batch pickling line at a steel pickling facility to cause or allow to be discharged into the atmosphere any gases that contain HCl in a concentration greater than 18 ppmv.

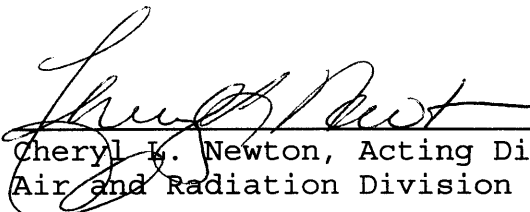
Findings of Fact

5. ISG owns and operates a steel pickling facility at 3001 Dickey Road, East Chicago, Indiana (the facility).
6. The facility has the potential to emit 10 tons per year or more of hydrochloric acid, a HAP, and therefore the facility is a major source and subject to the requirements at 40 C.F.R. Part 63, Subpart CCC.
7. On December 6, 2002, ISG performed a stack test on its 66" Pickling Line stack to demonstrate compliance with 40 C.F.R. §63.9(h).
8. On December 2, 2002, ISG emitted from its 66" Pickling Line stack hydrochloric acid at an average level of 72.4 ppmv.

Violation

9. The facility emitted from its 66" Pickling Line stack hydrochloric acid at an average level of 72.4 ppmv. This is a violation of 40 C.F.R. § 63.1157(a)(1) which states that no owner or operator of an existing source shall discharge into the atmosphere any gases that contain HCl in a concentration greater than 18 ppmv.

3/24/03
Date


Cheryl W. Newton, Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Finding of Violation, No. EPA-5-03-IN-12, by Certified Mail, Return Receipt Requested, to:

Alan H. Cross, Environmental Services Dept.
ISG Indiana Harbor, Inc. (ISG)
3001 Dickey Road
East Chicago, IN 46312


I also certify that I sent copies of the Finding of Violation by first class mail to:

Mr. David McIver, Chief
Air Section
Office of Enforcement
Indiana Department of Environmental Management
100 North Senate, Room 1001
Indianapolis, IN 46206-6015

and;

Mr. Rick Massoels, Environmental Manager
Air Compliance Section
Indiana Department of Environmental Management
504 North Broadway, Suite 418
Gary, IN 46402

on the 24th day of March, 2003.


Betty Williams, Secretary
AECAS, (IL/IN)

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